REMARKS

Claims 22-37 are pending. Applicants have carefully considered the Office Action dated March 17, 2008 ("Office Action") in this Application. Applicants present the following remarks in a sincere attempt to place this Application in condition for allowance. Applicants respectfully request reconsideration and allowance in light of the following remarks.

Applicants thank the Examiner for the courtesy of a telephone interview on June 17, 2008 ("Telephone Interview"). During the Telephone Interview, the following remarks were discussed.

Claims 22-37 and 29-36 stand rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 7,082,615 by Ellison et al. ("Ellison") in view of U.S. Patent No. 6,769,062 by Smeets et al. ("Smeets"). Claims 28 and 37 stand rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Ellison and Smeets further in view of U.S. Patent Pub. No. 2002/0194389 by Worley, Jr. et al. ("Worley"). Applicants respectfully traverse these rejections.

Applicants respectfully submit that neither Ellison, Smeets, nor Worley, alone or in any combination teach each and every element of the Claims. Specifically, the cited references do not teach, disclose, or suggest "wherein *in response to* a LOAD command received from the MPU, the APC is configured . . . to partition the local store into a general access section accessible by the MPU and an isolated section accessible only by the APU," as recited in Claim 22, or "configuring the APC *to respond to* a received LOAD command by: . . . partitioning the local store into a general access section accessible by the MPU and an isolated section accessible only by the APU," as recited in Claim 31 (emphasis added).

The Examiner cites Ellison at col. 3, lines 43-45 as showing "in response to a LOAD command received from the MPU . . ." Office Action, Page 4. The Examiner also cites Ellison as teaching, in response to the LOAD command, the APC is configured to "partition the local store

into a general access section and an isolate section." Office Action, Page 4 (*citing* Ellison, col. 4, lines 16-22.

But Ellison recites, "The isolated execution *mode* is initialized using a privileged instruction in the processor, combined with the processor nub 52." Ellison, col. 3, lines 43-45 (emphasis added). And, "The OS nub 16 and the processor nub 18 are instances of an OS executive (OSE) and a processor executive (PE), respectively. The OSE and PE are part of executive entities that operate in a secure environment associated with the isolated area 70 and the isolated execution mode." Ellison, col. 3, lines 16-22. Together, these citations show that Ellison actually teaches away from the elements related to "in response to a LOAD command received from the MPU" as recited in the pending Claims.

Specifically, Ellison distinguishes between its "isolated execution mode" and its pre-partitioned "isolated area": in the "isolated execution mode," "The processor nub loader 52 verifies and loads a ring-0 nub software module (e.g., processor nub 18) into the isolated area." Ellison, col. 3, lines 45-47. That is, the Ellison "isolated area" is not established *in response to* invoking the "isolated execution mode," the Ellison "isolated area" already exists prior to the "isolated execution mode." More particularly, "The logical operating architecture 50 [of Ellison] has two modes of operation: normal execution mode and isolated execution mode." Ellison, col. 3, lines 4-6. The Ellison architecture contains "rings" that are perpetually partitioned into "normal execution" portion and an "isolated execution" portion, for example: "Ring-0 10 includes two portions: a normal execution Ring-0 11 and an isolated execution Ring-O 15." Ellison, col. 3, lines 9-10.

Thus, because Ellison's isolated execution portion is perpetual, Ellison affirmatively teaches away from an "isolated section accessible only by the APU" that is partitioned "in response to a LOAD command," as recited in the claims. For at least this reason, Ellison affirmatively teaches

away from this element of the Claims, and therefore cannot support a proper rejection under Section 103.

The Examiner does admit that "Ellison does not specifically disclose a general access section accessible by the MPU and an isolate section accessible only by the APU." Office Action, Page 4. The Examiner offers Smeets to provide this element. *See* Office Action, Page 4, paragraph d. However, Applicants respectfully submit that nowhere does Smeets show an "isolated section accessible only by the APU" that is partitioned "in response to a LOAD command," as recited in the claims.

Accordingly, even if Ellison did not affirmatively preclude this element, Smeets fails to supply it, and the Examiner's proposed combination of Ellison and Smeets fails to teach each and every element as recited in Claims 22 and 31. Applicants therefore respectfully submit that independent Claims 22 and 31 are patentable over Ellison and Smeets, alone or in any combination. Applicants respectfully request that the rejections of Claims 22 and 31 be withdrawn and that Claims 22 and 31 be allowed.

Claims 23-27 and 29-30 depend on and further limit Claim 22. Claims 32-36 depend on and further limit Claim 31. As such, Applicants respectfully submit that these dependent Claims are also patentable over Ellison and Smeets, for at least the reasons as indicated above with respect to their respective independent Claims. Accordingly, Applicants respectfully request that the rejections of dependent Claims 23-27, 29-30, and 32-36 also be withdrawn and that Claims 23-27, 29-30, and 32-36 be allowed.

Regarding dependent Claims 28 and 37, the Examiner admits that "Ellison does not specifically disclose whereby to authenticate another set of computer instructions or data." Office Action, Page 11. The Examiner offers Worley to provide this element. *See* Office Action, Page 11.

However, Applicants respectfully submit that nowhere does Worley show an "isolated section accessible only by the APU" that is partitioned "in response to a LOAD command," as recited in the independent claims from which Claims 28 and 37 depend.

Accordingly, even if Ellison did not affirmatively preclude this element, both Smeets and Worley fail to supply it, and the Examiner's proposed combination of Ellison, Smeets, and Worley fails to teach each and every element as recited in Claims 28 and 37. Applicants therefore respectfully submit that independent Claims 28 and 37 are patentable over Ellison, Smeets, and Worley, alone or in any combination. Applicants respectfully request that the rejections of Claims 28 and 37 be withdrawn and that Claims 28 and 37 be allowed.

Applicants have now addressed all of the Claim objections and rejections cited in the Office Action. In view of the amendments to the Claims and Applicants' remarks, Applicants believe that pending Claims 22-37 are in condition for allowance, and respectfully request allowance of Claims 22-37.

Applicants believe no additional fees are due in this Response. In the event that any other fees are due, Applicants hereby authorize the Director to charge any required fees due (other than issue fees), and to credit any overpayment made, in connection with the filing of this paper to Deposit Account No. 50-0605 of CARR LLP.

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Applicants believe that the present Response contains a complete response to the issues raised in the Office Action. Applicants respectfully request full reconsideration. If the Examiner should have any questions, comments or suggestions, the undersigned attorney earnestly requests a telephone conference. In particular, should the Examiner deem that any further amendment is desirable to place this application in condition for allowance, Applicants invite the Examiner to telephone the undersigned at the number listed below.

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Respectfully submitted,

CARR LLP

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